

FILED

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CLERK SUPREME COURT

In the Supreme Court of Iowa**Request for Public Comment on
Proposed Amendments to Iowa
Court Rules Governing Appellate
Processes****Order**

The Iowa Supreme Court has reviewed proposed amendments to the Iowa Court Rules governing appellate processes. The proposed amendments are widespread throughout chapter 6 of the court rules—the Rules of Appellate Procedure—and include amendments to Iowa Rules of Criminal Procedure 2.29 and 2.30 as well as to rule 31.15 concerning permitted practice by law students and recent graduates.

The proposed changes to the rules include, but are not limited to, the following:

1. Rule 2.30 would be rewritten to clarify an attorney's duty of continuing representation and matters of withdrawal from representation in criminal matters.

2. Rule 6.110 would clarify a filing party's responsibility in handling protected information and confidential materials.

3. Rule 6.201(2) would bar a party from joining another party's petition on appeal.

4. Rules 6.903 and 6.905, on appellate briefs and appendix, would clarify that electronically filed briefs should have white covers and that consecutive page numbering in Arabic numerals begins with the cover page and includes any blank pages. Rule 6.903 would also clarify that footnotes must be in the same typeface and the same size as the text in the brief. The maximum printing cost per page would be reduced from \$4.00 to \$1.00.

5. Rule 6.1005 would bolster citation requirements when an attorney files a motion to withdraw claiming the appeal is frivolous.

6. Rule 6.1103 would clarify the responsibility of complete and accurate citation to the record in applications for further review. The rule also references a proposed new form 10 in rule 6.1401—a certificate of compliance for applications for further review.

7. Rule 6.1202 would provide penalties for failure to respond to appellate court orders.

8. Rule 31.15 would require that students presenting oral argument to an appellate court must file an appearance in the case no less than seven days prior to the argument.

After consideration of the proposed amendments, the court finds that the proposed amendments should be published and that a period should be set for public comment on the proposed changes. The proposed amendments are provided with this order and may be found on the Iowa Judicial Branch website at: www.iowacourts.gov/About_the_Courts/Supreme_Court/Orders/. In addition, copies are available at the office of the Clerk of the Supreme Court, Judicial Branch Building, 1111 East Court Avenue, Des Moines, Iowa 50319.

Any interested organization, agency, or person may submit written comments. Comments about a proposed amendment or rule must refer to the specific rule number (for example, Rule 6.1103(4)) and the specific numbered line or lines to which the comments are directed. Comments sent by email must be emailed to **rules.comments@iowacourts.gov**, must state “**Appellate Rule Amendments**” in the subject line of the email, and must be sent **as an attachment to the email in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Supreme Court, Judicial Branch Building, 1111 East Court Avenue, Des Moines, Iowa 50319.

Any comments received may be posted on the Iowa Judicial Branch website.

The deadline for submitting comments is 4:30 p.m. on November 12, 2015.

Dated this 11th day of September, 2015.

The Supreme Court of Iowa

A handwritten signature in black ink, reading "Mark S. Cady", written over a horizontal line.

By

Mark S. Cady, Chief Justice